

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALLAN W. CLARK,

Defendant.

Case No: 23-20359

SHALINA D. KUMAR
United States District Judge

**Stipulation and Order to Continue the
Motion Cutoff, Plea Cutoff, the Final Pretrial Conference and
Trial and to Find Excludable Delay**

The parties, by their undersigned attorneys, stipulate to continue all dates in this matter, including the motion cutoff, plea cutoff, the final pretrial conference, and the jury trial dates for approximately 60 days. The parties further stipulate and jointly move for the Court to find that the time period between date of this order, and the new trial date qualifies as excludable delay under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), because the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy trial. The parties' reasons for the continuance and for a finding of excludable delay are as follows:

- The parties wish to continue to engage in case negotiations that may resolve some or all of the issues in this case or narrow the disputed issues.
- The parties need additional time to review discovery, engage in additional investigation, and perform legal and factual research, which will assist counsel in providing advice to the defendant regarding strategy, options, and any plea offers.

The parties therefore request that the Court grant a continuance of all dates in this matter and further find that the delay caused by this continuance should be deemed excludable time under 18 U.S.C. § 3161(h)(7)(A) because the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

Respectfully submitted,

DAWN N. ISON
United States Attorney

Dated: July 17, 2023

s/Blaine Longworth
Assistant United States Attorney
600 Church Street
Flint, Michigan 48502
(810) 766-5177
Email: blaine.longworth@usdoj.gov

s/Bryan Sherer w/consent
Attorney for Defendant
111 E. Court Street, Ste. L-100
Flint Michigan 48502
(810) 232-3600
Email: bryan.sherer@fd.org

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALLAN W. CLARK,

Defendant.

Case No: 23-CR-20359

SHALINA D. KUMAR

United States District Judge

**Order to Continue the Motion Cutoff, Plea Cutoff,
the Final Pretrial Conference and
Trial and Find Excludable Delay**

The Court has considered the parties' stipulation and joint motion to continue. By the request and agreement of the parties for the reasons set forth in the stipulation, and the Court being otherwise fully advised;

IT IS HEREBY ORDERED that the parties request for a continuance is granted and dates in this matter are reset as follows:

Motion Cutoff is reset for: September 15, 2023;

Plea Cutoff is reset for October 2, 2023;

Witness Lists, Proposed Voir Dire, Joint Summary of the Case, Proposed Joint

Jury Instructions and Verdict Form due October 12, 2023;

Final Pretrial Conference is reset for October 19, 2023 3:00 p.m.;

Jury Trial is reset for October 31, 2023 at 9:00 a.m.

IT IS FURTHER ORDERED that the time period from the date of this order, and October 31, 2023 (new trial date) shall constitute excludable delay under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), because the Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy trial.

Entered: July 19, 2023

s/Shalina D. Kumar
SHALINA D. KUMAR
United States District Judge